State Prosecutions

The court rejected a petition by New Orleans District Attorney Jim Garrison to review a federal court injunction against his further prosecution of former businessman Clay Shaw after Shaw was acquitted of conspiring to assassinate President Kennedy.

Recent Supreme Court decisions have declared that out of respect for "our federalism," federal courts should intervene only rarely in state criminal prosecutions.

Lower courts held that a rare instance of blatant abuse of prosecutorial powers had occurred when Garrison filed perjury charges against Shaw two days after a New Orleans jury acquitted him of the assassination conspiracy.

The lower courts found that Garrison did not merit the usual presumption of good faith the courts attribute to prosecutors, partly because his prosecution received private financing by individuals who were determined to prove that the assassination was a New Orleans-based conspiracy.